

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN (COLUMBUS) DIVISION**

Brian Garrett,  
Edward Gonzales,  
Kent Kilgore,  
Adam Plouse, and  
John Does 1-35, *individually and  
on behalf of all others similarly situated,*

Plaintiffs,

vs.

The Ohio State University,

Defendant.

Civil Case 2:18-cv-00692-MHW-EPD

---

Steven Snyder-Hill, et al.,

Plaintiffs,

vs.

The Ohio State University,

Defendant.

Civil Case 2:18-cv-736-MHW-EPD

---

**GARRETT AND SNYDER-HILL PLAINTIFFS' MOTION FOR LEAVE TO FILE  
MOTION TO COMPEL AND EXHIBITS UNDER SEAL**

The *Garrett* and *Snyder-Hill* Plaintiffs respectfully move the Court for an order allowing them to file their Motion to Compel, and its accompanying exhibits, under seal. Defendants do not oppose this motion. In support of this motion, the undersigned state the following:

1. In advance of the court-ordered mediation in this case, and in light of the Court's denial of OSU's motion to stay discovery (No. 18-602, Doc. 90), the *Garrett* and *Snyder-Hill*

Plaintiffs<sup>1</sup> sought discovery from Defendant OSU with two general aims: to better understand (1) OSU's efforts to obtain information regarding who knew what, when; and (2) the number of students exposed to serial sexual predator and longtime OSU employee, Dr. Richard Strauss.

2. To this end, on May 31, 2019, Plaintiffs propounded ten (10) interrogatories ("ROGS") and eighteen (18) requests for production of documents ("RFPs"). Plaintiffs specifically requested five (5) categories of documents be produced prior to mediation so that the parties could come to the table equipped with enough knowledge to engage in meaningful negotiations.

3. Mediation was scheduled for June 15, 2019.

4. On July 1, 2019, OSU provided formal responses and objections to Plaintiffs' ROGs and RFPs, which it designated "Confidential."

5. Because the responses are improper and deficient, Plaintiffs now seek to compel responses and documents.

6. Plaintiffs disagree that the "Confidential" designation is appropriate and invite the Court to review the material filed to determine whether a confidential designation requiring sealed filings are necessary or proper.

7. Nevertheless, in accord with the designation and at the request of Defendants' Counsel to maintain the confidentiality of OSU's responses, Plaintiffs hereby move and request that they be permitted to file their Motion to Compel and supporting exhibits, which include OSU's "Confidential Responses And Objections to Plaintiffs' First Set of Limited Discovery to Defendant

---

<sup>1</sup> The moving Plaintiffs are Plaintiffs in the first two filed cases of what are now six related cases in this Court against the Ohio State University: *Garrett v. The Ohio State University*, 18-cv-692 (S.D. Ohio), and *Snyder-Hill v. The Ohio State University*, 18-cv-736 (S.D. Ohio) (hereinafter "Plaintiffs" or "*Garrett and Snyder-Hill Plaintiffs*").

OSU,” under seal in accordance with S.D. Ohio Civ. R. 5.2.1. Counsel for Defendants has no objection to this request.

Wherefore, Plaintiffs respectfully move the Court for an Order granting leave to file *Garrett and Snyder-Hill* Plaintiffs’ Motion to Compel and supporting exhibits under seal pursuant to S.D. Ohio Civ. R. 5.2.1.

Respectfully Submitted,

/s/ Debra L. Greenberger

Ilann M. Maazel (admitted *pro hac vice*)  
Debra L. Greenberger (admitted *pro hac vice*)  
Emery Celli Brinckerhoff & Abady LLP  
600 Fifth Ave, 10th Floor  
New York, NY 10075  
Phone: 212-763-5000  
Fax: 212-763-5001  
[imaazel@ecbalaw.com](mailto:imaazel@ecbalaw.com)  
[dgreenberger@ecbalaw.com](mailto:dgreenberger@ecbalaw.com)

Adele P. Kimmel (admitted *pro hac vice*)  
PUBLIC JUSTICE, P.C.  
1620 L Street, NW, Suite 630  
Washington, DC 20036  
Phone: (202) 797-8600  
Fax: (202) 232-7203  
[akimmel@publicjustice.net](mailto:akimmel@publicjustice.net)

SCOTT E. SMITH (0003749) (Trial Attorney)  
BRIAN R. NOETHLICH (0086933)  
Scott Elliott Smith, LPA  
5003 Horizons Drive, Suite 100  
Columbus, Ohio 43220  
Phone: 614.846.1700  
Fax: 614.486.4987  
[ses@sestrailaw.com](mailto:ses@sestrailaw.com)  
[brn@sestrailaw.com](mailto:brn@sestrailaw.com)

***COUNSEL FOR SNYDER-HILL PLAINTIFFS***

/s/ Simina Vourlis

*(by Debra L. Greenberger with email  
authorization)*

Simina Vourlis  
(Trial Attorney) #0046689  
The Law Office of Simina Vourlis  
856 Pullman Way  
Columbus, OH 43212  
(614) 487-5900  
(614) 487-5901 fax  
svourlis@vourlislaw.com

Rex A. Sharp  
Ryan C. Hudson  
Scott B. Goodger  
Larkin Walsh  
Sarah T. Bradshaw  
REX. A. SHARP, P.A.  
5301 W. 75<sup>th</sup> Street  
Prairie Village, KS 66208  
(913) 901-0505  
(913) 901-0419 fax  
rsharp@midwest-law.com  
rhudson@midwest-law.com  
sgoodger@midwest-law.com  
lwalsh@midwest-law.com  
sbradshaw@midwest-law.com

Robert Allard  
CORSIGLIA, MCMAHON AND ALLARD, LLP  
96 North Third Street, Suite 620  
San Jose, CA 95112  
(408) 289-1417  
(408) 289-8127 fax  
rallard@cmalaw.net

Jonathan Little  
SAEED AND LITTLE, LLP  
133 W. Market St. #189  
Indianapolis, IN 46204  
317-721-9214  
jon@slawfirm.com

Stephen Estey  
ESTEY & BOMBERGER LLP  
2869 India Street

San Diego, CA 92103  
619-295-0035  
619-295-0172 fax  
steve@estey-bomberger.com

Daniel R. Karon (#0069304)  
KARON LLC  
700 W. St. Clair Ave., Suite 200  
Cleveland, OH 44113  
Tel.: 216.622.1851  
dkaron@karonllc.com

Joseph Sauder  
SAUDER SCHELKOPF LLC  
555 Lancaster Avenue  
Berwyn, PA 19312  
(610) 200-0580  
(610) 421-1326  
jgs@sstrialawyers.com

***COUNSEL FOR GARRETT PLAINTIFFS***

**CERTIFICATE OF SERVICE**

It is hereby certified that a true and correct copy of the foregoing document was filed and served, via the Court's CM/ECF system on August 19, 2019, on all counsel of record.

By: /s/ Debra Greenberger  
Attorney for Snyder-Hill Plaintiffs